ORDINANCE NO. 2000 - 054

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **UTILITY ELEMENT** (TO REVISE POTABLE WATER AND WASTEWATER LEVELS OF SERVICE); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 9 and 16, 2000 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 12, 2000 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on October 4, 2000 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated September 29, 2000 which was the Department's written review of the proposed Comprehensive Plan amendments; and

WHEREAS, the written comments submitted by the Department of Community Affairs contained no objections to the amendments contained in this ordinance;

WHEREAS, on December 6, 2000 the Palm Beach County Board of County Commissioners held a public hearing to review the written comments submitted by the Department of Community Affairs and to consider adoption of the amendments; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulations Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendments to the 1989 Comprehensive Plan

Amendments to the following Element of the 1989 Comprehensive Plan are hereby adopted and attached to this Ordinance in Exhibit 1:

A. **Utility Element**, to revise potable water level of service;

B. **Utility Element**, to revise wastewater level of service;

C. Amending all elements as necessary for internal consistency.

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other

appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard Tallahassee, Florida 32399-2100.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 6 day of December, 2000.

ATTEST:
DOROTHY H. WILKEN, Clerk

By _____
Deputy Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By _____
Chair

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY FLORIDA

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

_____
COUNTY ATTORNEY

Filed with the Department of State on the 12th day of December, 2000.

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EXHIBIT 1

A. Utility Element, Utility Table 1- Minimum LOS for Potable Water

REVISIONS: To revise potable water level of service. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

Table 1

Minimum Level of Service Standards for Potable Water (Policy 1.2-a)

[9J-5.011(2)(c)2(b), F.A.C.]

Facility	Potable Water (1)	Fire Flow (2) Residential/Commercial	Storage (3)
Palm Beach County Water Utilities Department	180-peak 120-average	~~1,500~~ 1,000 /1,500-5,000	2/3 ADF of System
Seacoast Utility Authority	191	~~1,500~~ 1,000 /1,500-5,000	2/3 ADF of System
~~Acme (~~Village of Wellington~~)~~	~~181~~ 160	~~1,500~~ 1,000 /1,500-5,000	2/3 ADF of System
Town of Jupiter	170	~~1,500~~ 1,000./1,500-5,000	2/3 ADF of System
City of Riviera Beach	195	~~1,500~~ 1,000 /1,500-5,000	4.0 million gallons
Village of Palm Springs	194	~~1,500~~ 1,000 /1,500-5,000	2/3 ADF of System
City of Lake Worth	170	~~1,500~~ 1,000 /1,500-5,000	5.9 million gallons
City of Boynton Beach	200	~~1,500~~ 1,000 /1,500-5,000	10.3 million gallons
City of Delray Beach	263 - peak 195- average	~~1,500~~ 1,000./1,500-5,000	2/3 ADF of System
City of Boca Raton	387	~~1,500~~ 1,000 /1,500-5,000	2/3 ADF of System
Village of Royal Palm Beach	135	~~1,500~~ 1,000 /1,500-5,000	2/3 ADF of System
City of Belle Glade	91	~~1,500~~ 1,000 /1,500-5,000	2/3 ADF of System
City of Pahokee	~~100~~ 86	~~1,500~~ 1,000 /1,500-5,000	2/3 ADF of System
City of South Bay	150	~~1,500~~ 1,000 /1,500-5,000 .	2/3 ADF of System
Seminole ~~Water Control District~~ Improvement District (4)	20	~~1,500~~ 1,000 /1,500-5,000	100% ADF of System

(1) In gallons per capita per day (gpd). Source: Utility Providers, ~~1998~~ 2000
(2) Requirements for Fire Flow in PBC. Source: Fire Rescue Ordinance # 98-29 / In gallons per minute (gpm)
(3) ADF stands for "Average Daily Flow" of the system
(4) Currently serving two schools, a shopping center and a citrus packing plant. Source: ~~PBCHD~~ Seminole I.D., ~~1997~~ 2000

B. Utility Element, Utility Table 2- Minimum LOS for Wastewater

REVISIONS: To revise wastewater level of service. The revisions are numbered below, and shown with the added text underlined, and the deleted text ~~struck out~~.

Table 2

Minimum Level of Service Standards for Wastewater
(Policy 1.3-a)
[9J-5.011(2)(c)2(b), F.A.C.]

Facility	Wastewater (1)	Effluent	Sludge
Palm Beach County Water Utilities Department	80 ADF 100 3MRA	Per EPA/DEP	Per DEP/SWA
City of Boca Raton	147	Per EPA/DEP	Per DEP/SWA
City of Delray Beach	117	Per EPA/DEP	Per DEP/SWA
City of Boynton Beach	90	Per EPA/DEP	Per DEP/SWA
City of Riviera Beach	135	Per EPA/DEP	Per DEP/SWA
City of West Palm Beach	104	Per EPA/DEP	Per DEP/SWA
Village of Royal Palm Beach	85	Per EPA/DEP	Per DEP/SWA
Village of Palm Springs/Lake Worth	75	Per EPA/DEP	Per DEP/SWA
City of Belle Glade	101	Per EPA/DEP	Per DEP/SWA
City of Pahokee	~~90~~ 108	Per EPA/DEP	Per DEP/SWA
City of South Bay	150	Per EPA/DEP	Per DEP/SWA
Loxahatchee River District	~~105~~ 108	Per EPA/DEP	Per DEP
Seacoast Utility Authority	107	Per EPA/DEP	Per DEP
~~Acme (~~Village of Wellington	100	Per EPA/DEP	Per DEP/SWA
Seminole ~~Water Control District~~ Improvement District (2)	20	Per EPA/DEP	Per EPA/DEP

(1) Gallons per Capita per Day (gpd). Source: Service Providers ~~1998~~ 2000
(2) Currently serving two schools, a shopping center and a citrus packing plant. Source: ~~PBCHD~~ Seminole I.D., ~~1997~~ 2000

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the Board of County Commissioners certify this to be a true and correct copy of the original filed in my office on December 6, 2000.
DATED at West Palm Beach, FL on 12/19/00.
DOROTHY H. WILKEN, Clerk
By: Diane Brown D.C.